

CITY OF MILPITAS
COMMUNITY GARDEN RULES AND REGULATIONS

The Recreation Program Coordinator or his/her authorized representative will act as the Community Garden Coordinator, hereafter referred to as "Coordinator."

Plot Assignments & Fees

1. An annual plot fee will be assessed to all plotholders. The following fee schedule will apply:

Milpitas Resident	\$60
Milpitas Resident, Senior Citizen (50 years and over)	\$15.00
Non-Resident	\$90.00

A one time refundable deposit of \$100.00 is required. Deposit is returned when the plot is relinquished and cleaned out by the plotholder to satisfaction of Garden Coordinator.
2. Plotholders may not begin gardening until their annual plot fee is paid in full. Registration packets will be mailed from the Recreation Services office annually.
3. It is the responsibility of each plotholder to provide the Coordinator with an up-to-date address, telephone number, and email address (if applicable). **Milpitas residents must provide two proofs of Milpitas residency (i.e. a photo ID such as CA Driver's License or CA ID Card, and a current utility bill, bank statement or credit card statement).**
4. New plots are issued on a first-come-first-served basis. **Only** Milpitas residents **are eligible to be assigned plots.** ~~will have first priority over non-residents to garden plots.~~ Any individual interested in obtaining a plot should contact the Coordinator or the Recreation Services Office. If a plot is not available immediately, the individual's name will be placed on a Waiting List. The City reserves the right to hold up to 10% of the plots for educational use by local schools and/or City Programs.
5. **Plotholders who do not intend to continue gardening the plot for any reason should promptly notify the Garden Coordinator so the plot may be reassigned.**
6. **Plotholders do not have any ownership interest in their assigned plot. Plot assignments may only be transferred to the plotholder's spouse, and only by the Community Garden Coordinator upon written request from the assigned plotholder. Plots cannot be sublet.**
7. No person may use a vacant plot without prior written approval from the Coordinator and payment of the annual fee. Only one plot is allowed per household. Gardens will be confined to designated areas.
8. **A plotholder can only garden his/her assigned plot.**
9. **A plotholder personally must physically cultivate the assigned plot but may have unpaid assistance from friends and family.**

Gardener Conduct

10. The behavior of family members and friends is the plotholder's responsibility. No one is permitted to engage in loud, offensive, or boisterous activity within the garden enclosure.
11. **No alcohol, smoking, illegal drugs of any kind or fighting allowed in, or around, the Community Garden at any time.**

12. Pets other than certified Service Animals are not permitted in the garden at any time.
13. **No parking in or outside of garden is allowed. Street parking is available on Dixon Road and Boulder. ~~Personal vehicles are permitted on the garden premises only to load and unload tools and materials. Upon completion, vehicles will be moved to Dixon Road for parking. No parking is permitted on the site or surrounding School/Hetch Hetchy property (see diagram).~~**
14. All plots must be maintained in a manner acceptable to the Coordinator. This includes normal weeding, watering and general care of the assigned plot. The surrounding pathways are to be kept free of weeds-encroaching plants and debris. **Pllotholders are responsible for at least one half the width of the pathway adjacent to the garden plot and 3 ft. of the pathway if adjacent to the main driveway.**
15. **Each plot holder will be issued a key for the locks on the garden gates. The key is not to be shared with anyone outside of immediate family and spouses. ~~Pllotholders must erase the combination (turn all numbers to 0) upon opening the garden gate lock.~~** Pllotholders are required to close gates and lock all locks ~~gates and erase the combination~~ upon entering and leaving the garden. **If a key is lost, the pllotholder will be charged a \$100.00 replacement fee.** _____ Pllotholder Initial Here
16. **Pllotholders are not allowed to make copies of the key. If found in violation, it will result in the immediate revocation of the pllotholder's gardening privileges and plot without a refund, and pay the cost of replacing the locks and keys for the entire garden and other gardeners.**
17. **Gardeners Meetings will be held on a quarterly basis. All gardeners must attend at least one Gardeners Meeting during the year. Pllotholders who fail to attend at least one meeting will not be able to renew.**
18. Garden hours: ~~2 hours after~~ Sunrise until Sunset.
Power Equipment (i.e., fuel operated soil tillers) can be used 7:00 am-Sunset. ~~the following hours: Monday-Friday, 9:00 am-8:00 pm; and Saturdays, Sundays, Holidays, 11:00 am-6:00 pm~~

Gardening

19. Produce from the garden is to be used for family consumption ~~and not as a commercial commodity (sold or used in a business).~~ **and may not be grown for sale, profit, or used in a business.**
20. All loose materials (refuse, tools, etc.) must be cleared from the area each day. Sheds of any kind are not permitted in plots.
21. Only flowers, fruits, vegetables, and herbs may be grown in the plots. Animal husbandry is not allowed. Only plant species that do not present a danger to others and that produce edible food may be grown. No illegal plants are allowed.
22. Tall plants such as corn, sugar cane and sunflowers must be located such that they do not produce shade on adjoining plots and do not protrude into pathways.
23. Trellises of any kind must be kept no higher than five (5) feet. Perimeter fences are not to be used as trellises. **All trellises must be cleaned of all non-producing annuals soon after the plants stop producing.**
24. Trees and permanent structures ~~fencing~~ are not permitted in plots.

25. **Cactus and woody perennials must be kept pruned to a height of no more than 6 feet and may only be grown along the south side of the assigned plot.**
26. **All plants that spread roots or rhizomes (i.e., mint and horseradish) must be in an above ground container/planter that is not a permanent structure.**
27. **There is no planting of water intensive crops (i.e., sugar cane, taro) allowed.**
28. Use of poison grains for rodent control is prohibited. Pesticides are not permitted in the garden. Please contact the Garden Coordinator for use of alternatives.
29. **Monoculture – exclusively growing only one cultivar – may not be practiced in any assigned plot.**
30. **Assigned plots must be maintained in all seasons. Plots should not lay fallow and must be kept free of excessive weed growth.**
31. Compost piles may be made only in areas designated by the Coordinator for that use. No trash is permitted in compost piles. Individual plots may have a compost pile no larger than 3' wide by 3' long by 3' high, and the pile must be within the plot boundaries.
32. **Vandalism or** theft of produce, plants, **tools**, and/or other **gardeners' or City** property will be cause for immediate revocation of plotholder privileges and possible criminal prosecution. If the individual involved is not a plotholder, he/she will be turned over to the appropriate authorities. **Any plotholder who witnesses any theft or vandalism of a plot, must notify the Garden Coordinator immediately.** _____ Plotholder Initial Here

Watering

33. **Hoses attached to potable water sources must have either timed or automatic manual shut off valves.**
34. To encourage water conservation, gardeners are required to stay in the vicinity of their plots while watering. All gardeners are requested to turn off all faucets at unattended plots. Drip Irrigation and timer systems may be used with the approval of the Coordinator.

I understand approval must be obtained from the Coordinator prior to installation of drip irrigation and timer systems. _____ Plotholder Initial Here

35. It is preferred that watering be done before 10:00 am and after 4:00 pm, 7 days a week.

Drought Plan

36. **In the situation where the State of California or City of Milpitas declares a water shortage, plotholders will be required to adhere to the water conservation measures instituted by the State/City. If a plotholder violates the measures instituted, the result will be the immediate revocation of the plotholder's gardening privileges and plot without a refund.**

Garden Team

37. **The Community Garden Coordinator will be assisted by a Garden Team. The Garden Team will consist of 5 plotholders who will serve a term of 3 years and 1 Parks, Recreation & Culture Resources Commissioner. The goal of the Garden Team is to improve the structure of the Community Garden program. Duties will include, but are not limited to:**
 - a. **Attend meetings with Coordinator (every 1-4 months)**
 - b. **Provide feedback to Coordinator on garden issues (i.e.; maintenance, violations)**

- c. **Serve as liaisons with other gardeners to ensure 2-way communication**
- d. **Provide input on garden issues and future improvements**
- e. **Assist in planning Community Garden meetings, guest speakers, volunteer projects**

Interested plotholders can submit a Garden Team Application. Recreation Services staff will conduct interviews from the applicants and select the Garden Team members.

Non-Compliance/Violations and Consequences

38. In the event of non-compliance with any of the above rules, this procedure will be followed:

- A. The Coordinator will issue a written warning to the individual plotholder.
 - B. If at the end of a 30 day period the problem has not been solved, **or arrangements have been made to resolve the problem**, the plot will be reassigned to the next person on the waiting list. Annual fees **will not be refunded**.
 - C. Plotholders may appeal any action to the Community Garden Coordinator in writing within 30 days of notice of the action. The Coordinator will submit a staff report and recommendation to the PRCRC at their next regularly scheduled meeting for review and appropriate action.
 - D. Plotholders are only allowed two (2) violations in a year. A third violation in the same year will result in the revocation of the garden plot and no refund of annual fees.**
- **Please Note: Depending on the severity, a non-compliance/violation may result in the immediate revocation of the plotholder's gardening privileges and plot without a refund of fees and deposit.**

NOTE: Please contact Coordinator at (408) 586-3210, 457 E. Calaveras Blvd., Milpitas, California, 95035, if you would like more information on these rules and regulations or any other aspect of the Community Garden Program.

I have read the Community Garden Rules and Regulations and understand that non-compliance will result in plot and fee forfeiture.

Signature of Plotholder: _____

Date: _____

**CITY OF MILPITAS
MINUTES**

***5B**

PARKS, RECREATION AND CULTURAL RESOURCES COMMISSION

- Minutes:** Regular Meeting of the Parks, Recreation and Cultural Resources Commission
- Date of Meeting:** May 4, 2015
- Place of Meeting:** Barbara Lee Senior Center: Classroom 140/141, 40 N Milpitas Blvd.
- I. Call to Order:** Chair Sharma called the meeting to order at 7:00pm.
- II. Roll Call:**
Commissioners Present: Bansal, Munzel, Sharma, Singh and Tiumalu
Commissioners Excused: Fong, Matau, Mathur, and Ramirez
Commissioner Unexcused: None
City Staff Present: Renee Lorentzen – Recreation Services Manager
Stephanie Douglas – Recreation Services Supervisor
Lisa Ciardella – Public Services Assistant
City Council Liaison Present: Council Member Barbadillo
- III. Seating of Alternates:** Bansal and Tiumalu
- IV. Approval of Agenda:** MOTION to approve the agenda for May 4, 2015 as submitted.
M/S: Munzel/Bansal Ayes: All
- V. Approval of Minutes:** MOTION to approve the minutes from March 2, 2015 with the following change:
Commissioners Matau and Sharma were present.
M/S: Munzel/Singh Ayes: All
- VI. Public Forum:** None
- VII. Announcements and Correspondence**
Commissioner Munzel announced that there is a petition being forwarded to the County Board of Supervisor's to keep the property next to the library as a park. He invited anyone interested to please sign the petition.
- VIII. Old Business**
1. Community Garden Update
At the February 2015 PRCRC meeting the Commission requested research and updates on specific aspects of the Community Garden to be reported back at the April 2015 meeting. The April 2015 meeting was canceled due to lack of a quorum, so the presentation will be made this evening.

Recreation Services Supervisor, Stephanie Douglas made the presentation to the Commission. The presentation included a study of other Community Gardens in the area, which included information on the size of the plots, the fees, whether or not they have term limits, and how many people are on their wait lists. Also included in the presentation were suggested changes to the Community Garden Rules and Regulations and a drought plan. The changes are recommended by staff based on the meeting held with Community Garden plot holders held on Wednesday April 29, 2015.

The first discussion held by the Commission with input from the Community Garden Plot Holders was regarding the drought plan. Michelle Young, Program Manager from South Bay Water Recycling, Steve Machida, City of Milpitas Engineering Director, and Bob, the lead gardener that volunteers as the manager of the Guadalupe Community Garden were also in attendance to discuss the potential use of recycled water within the Milpitas Community Garden. The City of Milpitas has to reduce its overall water consumption by 25%. A meter will be installed in the garden to monitor the water usage. Bob and Michelle educated the Commission on the use of recycled water and its benefits.

The next discussion held was regarding the proposed changes to the Rules and Regulations. The Commission discussed some of the changes including the fees, the types of plants and edibles allowed to be planted, the parking situation, and the issuance of keys to the plot holders for the garden. The Commission requested time to review the proposed changes and to table the discussion of the Rules and Regulations to the June 2015 PRCRC meeting.

MOTION to recommend to City Council to install recycled water and educating the gardener's on its use.

M/S: Bansal/Munzel

MOTION to table the fee discussion to a later date.

M/S: Munzel/Tiumalu

MOTION to study opening a garden @ Robert Browne park and report back at the August PRCRC meeting.

M/S: Munzel/Tiumalu

IX. New Business

1. Park Donation Application – Mabel Mattos Plaque at Alviso Adobe Park

Milpitas Historical Society President Roger Skuse said the Society would like to donate a 12x12 bronze plaque in appreciation of Mabel Mattos' donation of historical farm equipment before her passing which has been placed at Alviso Adobe Park.

MOTION to recommend the plaque donation and forward to City Council for final approval.

M/S: Munzel/Tiumalu

2. Transit Area Open Space Report

The commission discussed moving this item to the August 2015 meeting.

MOTION to move the Transit Area Open Space Report to the August 2015 PRCRC Meeting

M/S: Bansal/Tiumalu

Ayes: All

3. June Meeting Site Visit

This year it was decided that the Commission would do a site visit of the Community Garden. The visit will be scheduled after a poll of the

Commissioners. The two proposed dates are Monday June 8, 2015 from 6:30-8:30pm or Saturday June 13, 2015 from 10:00am-12:00pm.

MOTION to poll the Commissioners and set the date after all have been polled.
M/S: Munzel/Tiumalu

4. Cancellation of July 2015 Meeting

Historically the Parks, Recreation and Cultural Resources Commission does not meet in the month of July. The Commission discussed cancelling the July meeting and reconvening on August 3, 2015.

MOTION to cancel the July 6, 2015 Parks, Recreation and Cultural Resources Commission and reconvene on August 3, 2015.
M/S: Munzel/Tiumalu

X. Staff Report

- The Memorial Day Ceremony will take place on Monday May 25, 2015 at 9:00am at the Veterans Memorial Flag Plaza, 455 E. Calaveras Blvd.
- The Youth Advisory Commission will be hosting a Math Competition on June 6, 2015.

XI. Liaison Reports

1. City Council: Councilmember Barbadillo discussed park proposals approved by the Commission and his role in assuring that all are forwarded on to the City Council in the way intended by the Commission.
2. Community Advisory Commission: None.
3. Senior Advisory Commission: None.
4. Planning Commission: None.
5. Youth Advisory Commission: None.
6. Milpitas Historical Society: Their next meeting will be held Wednesday May 13, 2015 at the Library
7. Arts Commission: None
8. Recycling and Source Reduction Advisory Commission: None.
9. Santa Clara County Parks & Recreation: Commissioner Munzel announced that the County will be ending their lifetime pass at county parks.

XII. Future Agenda Items

1. Transit Area Open Space Report

XIII. Adjournment:

With there being no further business, the meeting was adjourned at 8:45 p.m. to the next scheduled meeting which will be determined by poll of the Commission on either June 8, 2015 or June 13, 2015.